Atty. Docket 24347-051 US USSN 09/845,016

<u>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</u>

Inventors: Jacques M. Dulin, et al.

Examiner: Jacques H Louis-Jacques

Primary Examiner, GAU 366

Application SN: 09/845, 016

GAU: 3661

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Date Filed: April 27, 2001

Tel: 703 – 305 - 9757

JUL 0 2 2004

For: HOT VEHICLE SAFETY SYSTEM AND METHODS OF PREVENTING PASSENGER ENTRAPMENT AND HEAT SUFFOCATION

Response Filed by Fax to: 703 - 872 - 9306

Date Faxed: July 2, 2004

Certification under 37 CFR 1.8 and 1.6 (d)

Facsimile Date: July 2, 2004 Facsimile No: 703 - 872 - 9306 Total Pages: 14 I hereby certify that the correspondence attached hereto is being transmitted under 37 CFR 1.6(d), on the above stated date to the U.S. Patent and Trademark Office sent to the above facsimile number.

Jana L. Dulin

Signature: A

RESPONSE TO Office Action of 03-02-04 (Confirmation # 1461) Request for Telephone Interview

MAIL STOP AMENDMENT

Assistant Commissioner for Patents P O Box 1450 Arlington. VA 22313-1450

Sir:

01 FC:1251

Section 1, Introduction:

This is Applicants' Response to the non-final Office Action of March 2, 2004, currently due on July 2, 2004 pursuant to a one-month Extension of Time, requested and paid for herewith.

Please charge the fee for the 1-month extension, \$110 to Deposit Account 04-1699 of counsel. In the event this amount is inaccurate, please charge the balance due, or refund the excess to Deposit 08/05/2004 CCOFFECOULD 00000 1649 dup 1 Attotten/IDeaket # 24347-051US in any transaction to assist us in tracking and accounting.

Request for Telephone Interview:

The Final Rejection of the prior Office Action has been withdrawn and a new reference applied. Accordingly. Applicants request the courtesy of a Telephone Interview between Applicant's undersigned counsel and the Examiner upon the Examiner reaching and considering this Response, but before formal action thereon in order to discuss open issues, including the new reference applied. Applicants' counsel can be reached at 360 - 681 - 7305.

Response to UA of 03-02-04 24347-051 US 07-02-04

PAGE 1/14 * RCVD AT 7/2/2004 7:02:02 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8720306 * CSID:3606817315 * DURATION (mm-ss):04-24

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providing some temperature features for an airbag control system, it does not teach or suggest the instant invention as claimed.

Applicants have in the prior Responses shown clearly that Liu does not teach or suggest the claimed combination or method. Liu fails to teach or show any control system or method that senses the stopped condition of the vehicle and uses US to determine temperatures. Liu does not suggest the claimed control system or algorithm with the specified triggers.

Further, n either reference discloses or teaches any release of human passenger or animal occupants, nor a controller and algorithm for triggering specified release actions and devices (doors, windows, seat belt releases, to be triggered for release.

Further the Office Action with a broad brush fails to distinguish between the claims. The claims do not stand or fall together. For example, the references do not disclose the steps of the alert method of Claim 11 and its dependent claims 12 - 14, 50 and 51, yet the Office Action fails to discern that fact and lumps them in with all other claims. The references do not provide a reminder device of the presence or absence of a non-abled vehicle occupant, or means for arming it, and no sensing of the condition of the vehicle with respect to the driver or occupant, and monitoring ht temperature and triggering the reminder when the conditions are met.

Thus, Applicants must request individual consideration of each claim.

Accordingly, the obviousness rejections over Corrado and Liu should be withdrawn, not only because Liu does not teach or suggest the claimed method and apparatus systems, but also because Corrado does not cure the defects in Liu.

CONCLUSION

It is respectfully urged that the case is now in complete condition for allowance and prompt disposition is requested.

> Respectfully submitted, Jacques M. Dulin Ralf Seip

Date: July 2, 2004

Jacques M. Dulin, Reg. No. 24,067

Attorney for Applicant(s)

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